

*filed  
in open  
court  
10/26/04*

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA** )  
 )  
**v.** )  
 )  
**CLARENCE EARLE** )

**Case No. 04-CR-10065-MLW**

**JOINT STATUS REPORT  
CONCERNING LOCAL RULE 116.5(C)**


The parties respectfully submit this joint status report concerning the issues raised by Local Rule 116.5(C) in anticipation of the October 26, 2004 final status conference in this case:

1. There are no outstanding discovery issues other than those that need to be provided by the government 21 days or fewer before trial.
2. The parties do not anticipate any other discovery relating to the future receipt of information, documents or reports of examinations.
3. The defendant does not intend to raise a defense of insanity or public authority.
4. The government has not requested notice of alibi from the defendant.
5. The defendant intends to file a motion to suppress statements prior to trial in this matter.
6. The parties have not yet determined whether this case will be resolved through a change of plea.
7. The parties request that the Court exclude the period from the October 26, 2004 status conference through the date next scheduled in this matter under 18 U.S.C. § 3161(h)(1)(F).

8. The government will need two trial days to present its case in chief should this matter proceed to trial.


Respectfully Submitted,

CLARENCE EARLE  
By His Attorney



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